

Court of Appeals, State of Michigan

ORDER

In the Matter of Apportionment—Macomb County 2008

Docket Nos. 283655; 283694

LC No. 00-000000

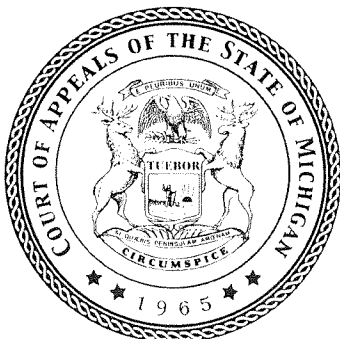
Elizabeth L. Gleicher
Presiding Judge

Mark J. Cavanagh

Pat M. Donofrio
Judges

The Court orders pursuant to MCR 7.206(D)(3) and MCR 7.216(A)(7) that the Macomb County Charter Commissioners' Apportionment Plan, adopted by respondent Macomb County Apportionment Commission on January 17, 2008, is VACATED because it does not "meet[] the requirements of the laws of this state." MCL 45.505(5). MCL 45.505(2) provides that cities "shall be divided only if necessary to meet the population standard." The language of the statute is clear and unambiguous; it must be applied as written to give effect to the Legislature's intent. *Lash v Traverse City*, 479 Mich 180, 187; 735 NW2d 628 (2007). Petitioners have challenged the plan in part because it splits the City of Richmond. There is no support for this split; respondent has not shown that it is necessary to meet the population standard. This matter is REMANDED to the Macomb County Apportionment Commission for development and adoption of a plan that does not split the City of Richmond. We reject petitioners' remaining challenges to the plan adopted by respondent.

This Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 15 2008

Date

Sandra Schultz Mengel
Chief Clerk